

DEPARTMENT OF TRANSPORTATION

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June 16, 2003

Wayne Nastri, Regional Administrator
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, CA 94105-3901

Dear Mr. Nastri:

It was a pleasure discussing Caltrans' Lincoln Bypass project with you last Friday. Jeff Morales and I both feel that our phone conference with you was most productive in identifying a solution to advance this much needed transportation project while at the same time addressing EPA's concerns about the potential loss of aquatic resources in western Placer County.

By way of background, Caltrans and FHWA circulated a Draft Environmental Impact Report/Statement in December 2001 for the State Route 65 Lincoln Bypass project. This proposed 12-mile, 4-lane freeway bypass of Lincoln would include access points at existing SR65 south of Lincoln, Nelson Road, Wise Road, and Riosa Road near existing SR65 near Sheridan. The DEIR/DEIS describes six alternatives, including two (AAC2 and A5C1) that would pass through a rapidly developing corridor in Lincoln, and four (D1, D13, D 13 North Modified and the D 13 South Modified) that would pass around the western periphery of the community near the airport. Due to the length of time required for the project development process, including the processing of the environmental document, and the fact that the City of Lincoln has preserved and planned for the "D" corridor for the Bypass, the "A" alignments have been largely filled in with homes. During that time, Lincoln has experienced some of the most rapid population growth in the United States, from approximately 8,700 residents at the beginning of 1999 to approximately 17,700 residents at the beginning of 2002. The potential community impacts and enormous costs associated with purchasing right of way and relocating hundreds of residents along either of the "A" alignments would effectively preclude these two alternatives from further consideration as the LEDPA. From prior meetings and discussions, Caltrans understands that EPA and Corps concur on this point.

Due to project budget constraints, the project would initially construct four lanes only to Nelson Lane, with two lanes from there all the way to Sheridan. A full freeway

interchange would initially be constructed at Industrial Avenue, with only at-grade intersections at Nelson Lane, Wise Road and Riosa Road. An overcrossing structure at Nicolas Road and an undercrossing at Dowd Road would preclude any local access at those points. In comments on the DEIS and in response to subsequent submittals made by Caltrans since last September pursuant to the NEPA/404 Integration MOU for LEDPA concurrence, EPA and the Corps of Engineers have raised concerns about potential cumulative and indirect affects to aquatic resources attributable to the proposed Bypass. Caltrans has understood these concerns to be largely focused on potential growth inducement associated with the access points to the proposed interregional highway Bypass; specifically at Wise Road due to its current surrounding agricultural land uses and proximity to the Coon Creek watershed.

Caltrans takes these concerns about potential affects to our vital aquatic resources very seriously, and has worked closely with FHWA, Placer County Transportation Planning Agency, Placer County and the City of Lincoln to examine several options that might address those concerns.

Option 1. Overcrossing at Wise Road with Initial Project Construction

Construction of an overcrossing at Wise Road in the initial project would preclude any local access at that point. Unfortunately, this option would also deny an important access that Placer County and the City of Lincoln have anticipated and planned to help detour large numbers of trucks hauling aggregate and other materials around the city rather than through downtown Lincoln. Trucks using the Wise Road/Bypass routing rather than existing SR65 through Lincoln will measurably improve the quality of life for Lincoln residents long tired of the pedestrian and traffic safety issues, noise, dust and damage to streets caused by aggregate haulers rumbling through town. For this reason, the City, County and PCTPA are strongly opposed to this option.

Option 2. Establishment of a Large Floodplain Easement to the East of Wise Road

This option examined a possible lowering of the Bypass roadway profile and reduction of the bridge structure length, using any attendant cost savings to purchase a large floodplain easement in one quadrant of the Wise Road intersection. Caltrans understands that EPA doesn't consider this option to adequately address its concerns about potential cumulative impacts and indirect affects to aquatic resources.

Option 3. Purchase of Easements on the Four Quadrants of the Bypass/Wise Road Bypass Intersection

To address EPA's concerns about indirect affects attributable to the proposed access at Wise Road, Caltrans examined an option that appeared to directly address EPA's expressed concerns. This option would acquire conservation easements in each of the four quadrants of the Wise Road/Bypass intersection, thereby effectively preventing any growth inducing developments from occurring in that area.

Option 4. Elimination of Proposed Undercrossing at Dowd Road and Road Modifications to Accommodate an Initial Overcrossing at Wise Road

EPA suggested that Caltrans examine this option to see if enough cost savings could be generated by eliminating the proposed undercrossing structure at Dowd Road from the project design, and applying those savings to construction of an overcrossing at Wise Road. Unfortunately, elimination of the Dowd Road structure would necessitate either realignment of heavily used Dowd Road or construction of frontage roads. Because of those additional modifications, there would not be adequate cost savings from this option. The access issues discussed under Option 1 above would also be the same with this option, with the same strong level of local and regional opposition to loss of access at Wise Road.

Option 5. Purchase of Conservation Easements within the Coon Creek Watershed Designated in the two-mile Radius of Wise Road

At EPA's request, Caltrans mapped the Coon Creek watershed, including a five hundred foot buffer, within a two-mile radius of the Wise Road/Bypass intersection. The mapped watershed, including buffers on the north and south sides of the watershed, total 5,206 acres. At a cost of several thousands of dollars per acre to secure easements, this option would cost in the tens of millions of dollars, and is clearly not a viable option. Caltrans understands that EPA intended this option to be more of a means of gauging the extent of watershed and possible aquatic resources lying within a two-mile radius of Wise Road, rather than outright acquisition of easements on the entire 5,206 acres.

Option 6. Purchase of Conservation Easements along the Coon Creek Watershed Corridor

Since Option 5 is clearly cost prohibitive, Caltrans has investigated a more realistic but still meaningful level of effort to acquire conservation easements in the Coon Creek watershed. The attached map illustrates the efforts currently underway by Placer Legacy in working with the private sector to establish other conservation easements within this watershed. An opportunity may be present to link these other easements with a linear pattern of conservation easements that would provide synergies and cumulative benefits to the entire watershed area in question. Caltrans is prepared to work closely with Placer Legacy, EPA and the Corps to implement this option.

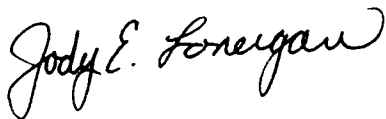
Further to our discussion last Friday of Options 1 and 6, in lieu of constructing an initial overcrossing at Wise Road (Option 1), Caltrans commits to acquiring conservation easements (Option 6) in the Coon Creek watershed/floodplain equivalent to the approximate cost of constructing the overcrossing structure. The conservation easements would demonstrate avoidance of potential indirect affects to aquatic resources that might otherwise be attributable to provision of access at the Wise Road intersection. To this end, I invite EPA to work with Caltrans and Placer Legacy to

Mr. Wayne Nastri
June 16, 2003
Page 4

identify those parcels with the highest wetlands functions and values for preservation. In turn, Caltrans and the Federal Highway Administration (FHWA) respectfully request your concurrence on the D13 North Modified Alternative as the Least Environmentally Damaging Practicable Alternative for the State Route 65 Lincoln Bypass project. I trust this letter accurately memorializes the substance of our discussion, and look forward to your prompt consideration of this request and concurrence on the proposed LEDPA for this vital and community supported transportation project.

I would also like to take this opportunity to invite you and your staff that have worked with us on this Lincoln Bypass project to tour our Aitkens Ranch mitigation site currently under development by Wildlands, Inc. We would be delighted to set up a tour of this wonderful example of successful pre-mitigation, at your convenience.

Sincerely,



JODY E. LONERGAN
District Director

c: Jeff Morales, Caltrans Director
Gary Hamby, FHWA Division Administrator
Andrew J. Rosenau, Regulatory Branch Chief, U.S. Army Corps of Engineers
Councilmember Tom Cosgrove, City of Lincoln
Supervisor Robert M. Weygandt, Placer County
Celia McAdam, Executive Director, PCTPA
Richard Robinson, Congressman Doolittle's office
Dapo Okupe, Caltrans Project Manager